

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CARMEN FLOSBACH ET AL.

Serial No: 09/921,815

Filed: August 3, 2001

For: PROCESS FOR REPAIRING COATED
SUBSTRATE SURFACES

Case No.: FA1014 US NA

Art Unit: 1762

Examiner: Jennifer Kolb Michener

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APPLICANTS' STATEMENT REGARDING THE INTERVIEW OF AUGUST 6, 2003

Sir:

Applicants respectfully submit this statement regarding the telephone interview that took place on August 6, 2003, for the above-captioned application.

Status of Application

Per the Office Action mailed June 3, 2003, claims 1-11 are pending in the above-referenced patent application; claims 1-8, 10 and 11 stand as rejected under 35 U.S.C. §102(b), and claim 9 stands as rejected under 35 U.S.C. §103(a). No new matter has been added.


In the present statement, Applicants wish to acknowledge the substance of the telephone interview of August 6, 2003 between Examiner Michener and Thomas Mancini and thank the Examiner for her explanation, courteousness and professionalism. Specifically the Applicants' Representative inquired as to the Examiner's statement regarding the "comprising" language as the transitional phrase for a process claim to reject the backing film used by the Applicants in claim 1. The Examiner reasserted the notion from the Final Office Action that the use of "comprising" in the language opens the Applicants' claim to the use of fabric backing films impregnated with resin. Applicants recited the differences between the present

invention and the subject matter of Smith et al., in that the present invention does not utilize fabric layers on the backing film and that the backing film of the present invention was coated with only the coating composition, wherein the coating composition was not impregnated into any type of fabric. Furthermore, it was explained that the transferred layer of the present invention was only coating composition and there was no fabric in the transferred layer as is taught by Smith et al. As a result the Examiner indicated that favorable consideration would be given upon further specificity with respect to the backing film or the transferred coating.

If the Examiner requires personal communication, the Examiner is invited to telephone the undersigned at the number provided.

There is no fee due in connection with the filing of this statement. However, should a fee be due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,



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Date: Sept. 2, 1995
594844v1



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Approved for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/921,815
Filing Date	August 3, 2001
First Named Inventor	Carmen Flosbach et al.
Group Art Unit	1762
Examiner Name	Jennifer Kolb Mionner
Attorney Docket Number	FA1014 US NA

Total Number of Pages in This Submission

12

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☒ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication
to Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please
identify below):

**Applicants' Statement Regarding
the Interview of August 6, 2003
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Hilmar L. Fricke, Esquire Registration No. 22,384
Signature	
Date	September 3, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date September 3, 2003

Typed or printed name	Janet E. Abbott
Signature	
Date	September 3, 2003

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Serial Number: 09/921,815
Attorney Docket: FA1014 US NA

Amendment and Response to Final Office Action Mailed June 3, 2003
Applicants' Statement Regarding the Interview of August 6, 2003
Transmittal Form
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